

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Jason Quaife, individually and on behalf of )  
all others similarly situated, )

Plaintiff, )

vs. )

Brady Martz & Associates, P.C., )

Defendant. )

Case No. 3:23-cv-176

**ORDER**

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John Hoffer, individually and on behalf of )  
all others similarly situated, )

Plaintiff, )

vs. )

Brady Martz & Associates, P.C., )

Defendant. )

Case No. 3:23-cv-177

**ORDER**

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Amanda Koffler, individually and on behalf )  
of all others similarly situated, )

Plaintiff, )

vs. )

Brady Martz & Associates, P.C., )

Defendant. )

Case No. 3:23-cv-183

**ORDER**

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Alec R. Kiesow, individually and on behalf )  
of all others similarly situated, )

Plaintiff, )

vs. )

Case No. 3:23-cv-184

**ORDER**

Brady Martz & Associates, P.C.,  
 Defendant.

)  
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Each plaintiff in the four cases captioned above moves to consolidate the four cases pursuant to Federal Rule of Civil Procedure 42(a). Defendant does not oppose the motions but notes its non-opposition does not constitute an admission as to any of the plaintiffs' allegations.

Each plaintiff alleges claims related to a data breach in defendant's "digital environment." Because the moving parties have established the cases share common questions of law or fact, the motions to consolidate are **GRANTED**. The Clerk is directed to make Quaife v. Brady Martz & Associates, P.C., No. 3:23-cv-176, the lead case, and counsel are directed to file all future documents in that case only.

Plaintiffs also request the lead case caption be amended to In re Brady Martz Data Security Litigation, No. 3:23-cv-176, the other three cases be administratively closed, and all future related actions be consolidated.<sup>1</sup> Those requests are **DENIED**. Though all documents are to be filed in the lead case, the other three cases will remain open until closure of the lead case. The captions of the cases will remain unchanged, but the parties are free to caption documents filed in the lead case as In re Brady Martz Data Security Litigation as long as those documents include the case number 3:23-cv-176. If other cases that share common questions of law or fact are filed in this district, any party may move to consolidate those cases with these four consolidated cases.

<sup>1</sup> Plaintiffs requested administrative closure of the three non-lead cases in a proposed order.

Finally, plaintiffs request sixty days from the date of this order to file a consolidated complaint in the lead case and request that defendant have thirty days to respond.<sup>2</sup> If defendant files a motion to dismiss in response, plaintiffs request thirty days to respond to the motion and request that defendant have twenty-one days to file any reply brief. Plaintiffs' request as to deadlines is **GRANTED**.

After defendant files an answer to the consolidated complaint, the court will order a scheduling conference.

**IT IS SO ORDERED.**

Dated this 19th day of October, 2023.

/s/ Alice R. Senechal

Alice R. Senechal

United States Magistrate Judge

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<sup>2</sup> Plaintiffs' specific request was included in their proposed order.